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TO: Assistant Commissioner of Patents  
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ATTN: Examiner Scott D. Priebe

FAX NO.: 1-703-308-4242

DATE: December 2, 1998

FROM: Jacqueline Benn, Ph.D.

PAGES: 14 (including cover page) OUR REF.: 7639-061

We are transmitting herewith a draft Amendment under 37 C.F.R. §1.116 to be discussed in the teleconference scheduled for 12 p.m. tomorrow, December 3, 1998.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Wang et al.

Serial No.: 08/333,680

Group Art Unit: 1632

Filed: November 3, 1994

Examiner: S. Priebe

For: NOVEL ADENOVIRAL VECTORS, Attorney Docket No.: 7639-061  
PACKAGING CELL LINES, (Cell 16.0)  
RECOMBINANT ADENOVIRUSES,  
AND METHODS

AMENDMENT UNDER 37 C.F.R. §1.116

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the outstanding Final Office Action dated August 31, 1998, and pursuant to Rule 116 of the Rules of Practice please consider the following amendments and remarks. Applicants submit herewith an appendix of the claims pending as of entry of this Amendment, attached hereto as Exhibit A.

IN THE CLAIMS:

Please amend Claims 37-39 and 46-47 as follows.

37. (amended) A replication-defective recombinant adenovirus, wherein the genome of said adenovirus contains at least two lethal deletions, two lethal mutations, or one lethal deletion and one lethal mutation in the E1 and E4 early gene regions, so that the recombinant adenovirus requires for replication at a minimum complementation of genes of both the E1 and E4 adenoviral early regions in the absence of expression of additional adenoviral gene regions in trans,